

March 4, 1950

Wilson T. Wright, Commissioner
Arizona Corporation Commission
The Capitol
Phoenix, Arizona

LAW LIBRARY
ARIZONA ATTORNEY GENERAL
N/R

Dear Mr. Wright:

We have received your letter of February 20 enclosing the inquiry of Mr. Record of the Southside Fire Protection Co.

We feel hesitant about rendering a formal opinion in this matter inasmuch as the Chandler Fire Department is not under the jurisdiction of the Corporation Commission and, inasmuch as the Chandler City Attorney is qualified and obliged to advise the City of Chandler in this matter.

It is our belief that the situation presented in Mr. Record's letter comes within the rule announced in City of Phoenix v. Wright, 52 Ariz. 227. The maintenance of the Chandler Fire Department is a function of the municipal corporation and is, by the Constitution, specifically excluded from the jurisdiction of the Commission.

We feel that the Wright case would seem to sanction the right of a city to have its fire department answer calls beyond the corporate boundaries, if the city so desired. However, we respectfully request that you suggest to Mr. Record that he take this matter up with his private attorneys or with the City Attorney of Chandler. The City Attorney would clearly be in a position to inform him as to the course to be followed by a city, and we might expose this office to justifiable criticism if we attempted to advise him in the matter.

We enclose herewith Mr. Record's letter and hope that the information contained herein will be helpful.

Yours very truly,

FRED O. WILSON
Attorney General

CALVIN H. UDALL
Assistant Attorney General

CHU:lh
Encl.